

KARL GERBER, SBN 166003
ANN GULESER, SBN 210790
EMPLOYMENT LAWYERS GROUP
13418 Ventura Boulevard
Sherman Oaks, CA 91423
Telephone: 818.783.7300
Facsimile: 818.995.7159
Email: kgerber@emplaw.net
aguleser@emplaw.net

Attorneys for Plaintiff
MATTHEW THOMASSON

MICHAEL S. CHAMBERLIN, SBN 175427
CHRISTOPHER M. HABASHY, SBN 280725
BAKER & HOSTETLER LLP
11601 Wilshire Boulevard, Suite 1400
Los Angeles, CA 90025-0509
Telephone: 310.820.8800
Facsimile: 310.820.8859
Email: mchamberlin@bakerlaw.com
chabashy@bakerlaw.com

Attorneys for Defendant
SENTINEL TRANSPORTATION, LLC

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MATTHEW THOMASSON, an
individual

Plaintiff,

v.

SENTINEL TRANSPORTATION,
LLC; and DOES 1 through 100
inclusive,

Defendants.

Case No.: 1:20-CV-01172-NONE-JTL

[Hon. Jennifer L. Thurston, Ste. 200]

**JOINT STATEMENT OF
UNDISPUTED FACTS RELATED
TO DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT, OR
ALTERNATIVELY, PARTIAL
SUMMARY JUDGMENT**

Date: December 23, 2021
Time: 10:00 a.m.
Dept.: Suite 200

*[Filed concurrently with Notice of
Motion and Motion for Summary
Judgment; Memorandum of Points and
Authorities; Separate Statement of*

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Undisputed Facts; Declarations of Christopher M. Habashy, Jamie Franklin; Compendium of Exhibits; Request for Judicial Notice; Notice of Lodging; and (Proposed) Order]

Action Filed: July 20, 2020
Action Removed: August 20, 2020

BAKER & HOSTETLER LLP
ATTORNEYS AT LAW
LOS ANGELES

Pursuant to the Court’s Standing Order, counsel for Defendant SENTINEL TRANSPORTATION, LLC (“Sentinel” or “Defendant”) has met and conferred with counsel for Plaintiff MATTHEW THOMASSON (“Plaintiff”) regarding the submission of this Joint Statement of Undisputed Facts (See Declaration of Christopher Habashy ¶¶ 11-15, and the Parties agree that no dispute exists as to the following undisputed facts:

1. In July 2018, Plaintiff was diagnosed with an anxiety disorder.
(Plaintiff’s Deposition Volume I attached as Ex. A. to the Declaration of Christopher Habashy “Habashy Decl.” ¶ 2, pgs. 60:24-25, 61:6-8.)
2. In July 2018, Plaintiff requested a leave of absence.
(Ex. A, pg. 59:3-8, 60:15-17, 67:19-68:2, September 27, 2018 Correspondence attached as Exhibit K to the declaration of Jamie Franklin “Franklin Decl. ¶ 3.)
3. Plaintiff did not disclose to Sentinel that he had been diagnosed with an anxiety disorder.
(Ex. A, pg. 65:4-6.)
4. Sentinel granted Plaintiff’s request for a leave of absence.
(Ex. A, pg. 67:4-6)
5. Plaintiff understood that that the leave of absence did not qualify under CFRA because he had not been working for Sentinel long enough.
(Ex. A, Plaintiff’s Depo. pg. 70:2-7, July 18, 2018 correspondence attached as Exhibit J to Franklin Decl. ¶ 2.
6. Plaintiff was cleared to return to work on September 25, 2018.
(Ex. A, 69:4-9.)
7. Plaintiff does not have any complaints with how Sentinel handled that leave of absence.
(Ex. A, 67:10-12.)
8. Plaintiff does not have any complaints about how Sentinel treated him when he came back from the leave of absence.

(Ex. A, pg. 67:13-15.)

9. No one from Sentinel discouraged Plaintiff from taking a leave of absence.

(Ex. A, pg. 70:16-18.)

10. No one from Sentinel ever made any negative comments about Plaintiff taking the leave of absence.

(Ex. A, pg. 70:19-21.)

11. On April 2, 2020, Plaintiff was concerned that he may have been exposed to COVID 19.

(Ex. A, pg. 72:7-9.)

12. Plaintiff tested negative for COVID 19.

(Ex. A, 73: 16-17.)

13. After being tested, Plaintiff worked from home.

(Ex. A, 73:18-20, 74:11-12)

14. Plaintiff was able to effectively do his job working from home.

(Ex. A, pg. 75:5-7.)

15. Plaintiff has no complaints about Sentinel requiring him to work from home after he reported a possible exposure to COVID-19.

(Ex. A, pg. 80:8-11.)

Respectfully submitted,

Dated: November 5, 2021

EMPLOYMENT LAWYERS GROUP

By: /s/ Ann Guleser

Karl Gerber
Ann Guleser

Attorneys for Plaintiff
MATTHEW THOMASSON

Dated: November 5, 2021

BAKER & HOSTETLER LLP

By: /s/ Christopher M. Habashy
Michael S. Chamberlin
Christopher M. Habashy

Attorneys for Defendant
SENTINEL TRANSPORTATION, LLC

ATTESTATION

I, Christopher M. Habashy, attest that all other signatures listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

/s/ Christopher M. Habashy
Christopher M. Habashy

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